

SB2476



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2476

Introduced 2/15/2008, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

New Act

Creates the Racial Impact Note Act. Provides that every bill which amends criminal offenses, criminal procedure, or sentencing provisions under the Cannabis Control Act, Illinois Controlled Substances Act, or Methamphetamine Control and Community Protection Act, shall have prepared for it, by the Illinois Criminal Justice Information Authority, prior to second reading in the house of introduction a brief explanatory statement or note which shall include a reliable estimate of the proportional racial makeup of the population likely to be impacted by the bill.

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FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the the
5 Racial Impact Note Act.

6 Section 5. Purpose. The purpose of this Act is to reduce
7 the harm caused to minority communities through the application
8 of criminal offense and sentencing laws, and in particular
9 controlled substance laws, that disproportionately impact
10 those communities. The General Assembly recognizes that (a)
11 minorities are disproportionately represented at all phases of
12 justice involvement, (b) certain laws, while neutral on their
13 face, may result in disproportionate impact on minority
14 communities, (c) the federal government has taken steps to
15 reverse this impact by amending federal sentencing guidelines,
16 (d) criminal justice involvement results in broken families,
17 lost employment opportunities, and reduced access to public and
18 private benefits, undermining the stability of communities
19 when disproportionate numbers of community residents have
20 criminal histories or are under supervision, and (e)
21 disproportionate negative impact on minority communities is
22 contrary to the notions of a just society.

1 Section 10. Racial Impact Note required. Every bill which
2 amends criminal offenses, criminal procedure, or sentencing
3 provisions under the Cannabis Control Act, Illinois Controlled
4 Substances Act, or Methamphetamine Control and Community
5 Protection Act, shall have prepared for it prior to second
6 reading in the house of introduction a brief explanatory
7 statement or note which shall include a reliable estimate of
8 the proportional racial makeup of the population likely to be
9 impacted by the bill.

10 Section 15. Preparation of Racial Impact Note. Upon the
11 request of the sponsor of any bill described in Section 10, the
12 Illinois Criminal Justice Information Authority shall prepare
13 a written statement setting forth the information specified in
14 Section 10. The statement prepared by the Illinois Criminal
15 Justice Information Authority shall be designated a Racial
16 Impact Note and shall be furnished to the sponsor within 10
17 calendar days thereafter, except that whenever, because of the
18 complexity of the bill, additional time is required for the
19 preparation of the note, the Illinois Criminal Justice
20 Information Authority may so notify the sponsor and request an
21 extension of time not to exceed 5 additional days within which
22 such note is to be furnished. Such extension shall not extend
23 beyond May 15 following the date of the request.

24 Section 20. Member of the General Assembly may request

1 Racial Impact Note. Whenever the sponsor of any measure is of
2 the opinion that no Racial Impact Note is necessary, any member
3 of either house may thereafter request that a note be obtained,
4 and in such case the matter shall be decided by a majority vote
5 of those present and voting in the house of which he or she is a
6 member.

7 Section 25. Description of Racial Impact Note. The note
8 shall be factual in nature, as brief and concise as may be, and
9 shall provide as reliable an estimate, in terms of population
10 impact, as is possible under the circumstances. The note shall
11 include both the immediate effect, and if determinable or
12 reasonably foreseeable, the long-range effect of the measure.

13 Section 30. No comment or opinion in Racial Impact Note. No
14 comment or opinion shall be included in the note with regard to
15 the merits of the measure for which the note is prepared;
16 however technical or mechanical defects may be noted.

17 Section 35. Appearance before committee of the General
18 Assembly. The fact that a Racial Impact Note is prepared for
19 any bill shall not preclude or restrict the appearance before
20 any committee of the General Assembly, of any official or
21 authorized employee of any State board, commission,
22 department, agency or other entity who desires to be heard in
23 support of or in opposition to the measure.

1 Section 40. Action on amendments. Whenever any measure is
2 amended on the floor of either house in such manner as to bring
3 it within the description of bills set forth in Section 10 of
4 this Act, a majority of such house may propose that no action
5 shall be taken upon the amendment until the sponsor of the
6 amendment presents to the members a statement of the racial
7 impact of his or her amendment, as required by this Act.